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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Graeme SMITH

Application No.: 09/888,572

Filed: June 26, 2001

For: MODULAR SOFTWARE DEFINABLE PRE-AMPLIFIER

Art Unit: 2644

Examiner: J. I. Michalski

Washington, D.C.

Atty.'s Docket: SMITH=11

Date: September 20, 2005

Confirmation No. 1761

Customer Service Window  
Randolph Building, Mail Stop AF  
THE COMMISSIONER OF PATENTS  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Transmitted herewith is a Request for Reconsideration in the above-identified application.

[ ] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[XX] No additional fee is required.

[ ] The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 30	MINUS	** 31	0
INDEP.	* 1	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

ADDITIONAL FEE TOTAL

SMALL ENTITY		
RATE	ADDITIONAL FEE	
x 25	\$	
x 100	\$	
+ 180	\$	
ADDITIONAL FEE TOTAL		\$

OTHER THAN SMALL ENTITY		
RATE	ADDITIONAL FEE	
x 50	\$	
x 200	\$	
+ 360	\$	
TOTAL		\$

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[ ] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity  
Response Filed Within  
[ ] First - \$ 60.00  
[ ] Second - \$ 225.00  
[ ] Third - \$ 510.00  
[ ] Fourth - \$ 795.00  
Month After Time Period Set

Other Than Small Entity  
Response Filed Within  
[ ] First - \$ 120.00  
[ ] Second - \$ 450.00  
[ ] Third - \$ 1020.00  
[ ] Fourth - \$ 1590.00  
Month After Time Period Set

[ ] Less fees (\$ ) already paid for \_\_\_ month(s) extension of time on \_\_\_\_\_.

[ ] Please charge my Deposit Account No. 02-4035 in the amount of \$ \_\_\_\_\_.

[ ] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ \_\_\_\_\_.

[ ] A check in the amount of \$ \_\_\_\_\_ is attached (check no. ).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

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By:   
Jay M. Finkelstein  
Registration No. 21,082



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: SMITH=11

In re Application of:	)	Art Unit: 2644
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Graeme R. SMITH	)	Examiner: J. MICHALSKI
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Appln. No.: 09/888,572	)	Washington, D.C.
	)	
Filed: June 26, 2001	)	Confirmation No. 1761
	)	
For: MODULAR SOFTWARE	)	September 20, 2005
DEFINABLE PRE-AMPLIFIER	)	

REQUEST FOR RECONSIDERATION

Honorable Commissioner for Patents  
Customer Service Window, **Box AF**  
Randolph Building, Mail Stop Amendment  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In response to the Examiner's Action dated June 20, 2005,  
Applicant submits the following remarks and respectfully  
requests reconsideration.